IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Civil Revision No.5799 of 2007

Date of Decision: November 12, 2007

Ram Phal .....Petitioner

Versus

Smt.Santra and others .....Respondents

CORAM:- HON'BLE MR.JUSTICE S. D. ANAND

Present: Mr.Lokesh Sinhal, Advocate for the petitioner.

S. D. ANAND, J.

1. The learned Trial Magistrate allowed interim maintenance to respondent No.1 (widowed daughter-in-law of a pre-deceased son of the petitioner) with effect from the date of filing of the petition.

2. Learned counsel for the petitioner argues that the impugned order is inappropriate inasmuch as there was neither an averment nor proof to the effect that respondent – Mst.Santra did not have means of sustenance.

3. By the very nature of things, the impugned order is interim in character. It is yet to attain finality. It is in the course of the final order on the maintenance plea that the learned Trial Court would notice and adjudicate upon the respective pleas of the parties on merits including maintainability of the petition.

4. In the light of foregoing discussion, the petition is dismissed in limine. However, it is ordered in the circumstances of the case that the

main petition itself shall be disposed of by the learned Trial Court within one month from the next date of hearing.

(S. D. ANAND)
November 12, 2007 **JUDGE**
SRM

Note: Whether referred to reporter ? Yes/No